

STATEMENT TO THE FDA'S TSE ADVISORY COMMITTEE

I am Daniel Kinburn, Senior Counsel with the Physicians Committee for Responsible Medicine. I speak for the more than 100,000 physician and lay members of PCRM.

On behalf of PCRM and its members, I want to thank the Committee for the critically important work it is doing. Strong decisive action is needed now in order to prevent an outbreak of variant Cruetzfeld-Jakob Disease (vCJD), rather than delaying such action, as the beef industry seems to be suggesting, until Americans start dying.

Last week, the Foreign Animal and Poultry Disease Advisory Subcommittee (the "Subcommittee") appointed by the Secretary of the Department of Agriculture made several policy recommendations after concluding that it is highly probable that more American cattle are infected with mad cow disease than the one found in Washington state in December 2003. To the extent these recommendations fall within the domain of the Department of Health and Human Services, we urge you to support several of the recommendations made by the Subcommittee. As some of these recommendations have already been implemented by the FDA in its interim final rules issued on January 26, 2004, we ask that you support making these interim rules final. We also identify other measures that should be taken to adequately safeguard public health.

Cattle Feed.

It is commonly understood that mad cow disease is caused by a deformed protein that spreads when cattle consume feed supplemented with brain and central nervous system tissue from infected animals. Therefore, we urge you to adopt the Subcommittee's recommendation to prohibit any mammalian or poultry meat, bone, or other byproduct from all cattle feed. Because factory-farmed fish are also fed cattle byproducts, we also urge you to recommend that factory-farmed fish and their byproducts be prohibited from cattle feed. In order to effectively prevent

the spread of mad cow disease, as well as any cross-contamination of ruminant and non-ruminant animal feed, PCRM also asks you to prohibit the use of any animal (mammal, avian, or aquatic) or its byproducts from the feed of any other herbivorous animal used for human consumption (e.g., pigs, sheep, goats, chickens, turkeys).

Specified Risk Material and Downer Cows.

We also urge you to adopt the Subcommittee's suggestion to exclude all Specified Risk Materials (SRM) from both human and animal food, and to ban any material from downed cows from entering the food supply. To the extent these recommendations have been implemented by FDA's interim final rule to ban SRM's and downer or dead cattle material and from FDA-regulated human food, dietary supplements, and cosmetics, we also ask that you recommend making these interim rule provisions into a final rule.

Additionally, this Committee should go beyond the Subcommittee recommendations to ensure the safety and well-being of all Americans. Under the Subcommittee's recommendations, downed pigs, sheep, lamb and other animals (excluding cattle) cannot be fed to cattle, but they can go straight into the human food supply. People should not be eating food deemed too risky to serve to cattle, thus, we urge the Committee to recommend that all downed animals, regardless of species, be banned from FDA-regulated food, medical products, and cosmetics.

Source of origin labeling.

Finally, to provide full information to consumers who wish to take extra precautions to protect themselves from the risk of vCJD, we urge you to support source-of-origin labeling for food, medication, and dietary supplements. As proposed by Representative Nita Lowey in the 2003 Food Ingredient Right to Know Act, HR 467, food manufacturers should be required to identify the source of all food ingredients such as "natural flavors" and additives, which

commonly contain spices, flavoring, or coloring derived from meat, poultry, or other animal products. This committee should go one step further and recommend such source-of-origin labeling for all dietary supplements and medications, which also commonly contain bovine or other animal byproducts.

Thank you again for the important work you are doing.